

**REMARKS**

Claims 1-8 are pending. Claims 1 and 6 have been amended. Applicant reserves the right to pursue the original claims and other claims in this and in other applications.

The title of the invention stands objected to as being not descriptive. Reconsideration is requested. The title has been amended to obviate the objection.

Claims 1-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,930,218 ("Mitsui"). Applicant respectfully traverses the rejection.

Claim 1 recites a disk tray unit having a tray and a disk holding member, the tray having a recessed portion including "bottom and top portions opposite each other, and lateral portions opposite each other, and said lateral portions located between said top and bottom portions . . . and an edge of [the] disk holding member [which] extends smoothly from a point near [the] bottom portion . . . to a point near one of said lateral portions." This is an important feature of the invention.

In a preferred embodiment, a portion of the eaves 88 which is closer to the +Z or -Z ends projects more; near the center of the Z directions, the projection of the eaves 88 is nearly zero. (FIGS. 3-8; paragraphs [0063]+). An important advantage of the feature is to prevent slipping down and toppling of an optical disk in the case of a vertical installation. In the Mitsui device, the tongue parts 40-6-40-13 are provided with an undercut and therefore, do not have eaves which extend "smoothly" from a point near a bottom portion of the extensions to a point near one of the lateral portions. For this reason, claim 1 should be allowable over Mitsui. The scope of the claim, however, is not limited to the preferred embodiment.

Claims 2-8 either depend from claim 1 or contain limitations similar to those discussed above in connection with claim 1. Therefore, claims 2-8 should be allowable over Mitsui for at least the same reasons as claim 1. In view of the above, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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